

Executive Summary – Enforcement Matter – Case No. 50321
GREENWOOD VENTURES INC.
RN102689213
Docket No. 2015-0498-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Indifference to legal duty based on violation of a previous order.

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

GREENWOOD VENTURES, 10706 Farm-To-Market 307, Midland, Midland County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: July 31, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$1,979

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$479

Total Due to General Revenue: \$1,500

Payment Plan: 6 payments of \$250 each

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Executive Summary – Enforcement Matter – Case No. 50321
GREENWOOD VENTURES INC.
RN102689213
Docket No. 2015-0498-PWS-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation(s): December 1, 2014 through December 19, 2014 and January 28, 2015

Date(s) of NOE(s): December 19, 2014 and March 6, 2015

Violation Information

1. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].
2. Failed to post public notification and submit a copy of the public notification to the Executive Director ("ED") regarding the failure to comply with the acute maximum contaminant level ("MCL") for nitrate [30 TEX. ADMIN. CODE § 290.122(a)(2) and TCEQ Default Order Docket No. 2013-0281-PWS-E, Ordering Provision No. 3.a.iv.].
3. Failed to post public notification and submit a copy of the public notification to the ED regarding the failure to comply with the MCL for gross alpha particle activity [30 TEX. ADMIN. CODE § 290.122(b)(2)(A), (b)(3)(A) and (f)].
4. Failed to post public notification and submit a copy of the public notification to the ED regarding the failure to provide the results of nitrate, arsenic, and selenium sampling and the failure to conduct coliform monitoring [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].
5. Failed to post public notification and submit a copy of the public notification to the ED regarding the failure to submit the results of flouride sampling and the failure to submit a Disinfectant Level Quarterly Operating Report [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].
6. Failed to post public notification and submit a copy of the public notification to the ED regarding the failure to submit the results of triennial cyanide sampling, triennial Stage 1 disinfection byproducts sampling, and triennial synthetic organic chemical ("SOC") contaminants (methods 504, 515, and 531) sampling, and six-year SOC contaminants sampling [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].

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Docket No. 2015-0498-PWS-E

7. Failed to collect routine distribution water samples for coliform analysis [30 TEX. ADMIN. CODE § 290.109(c)(2)(A)(i) and TEX. HEALTH & SAFETY CODE § 341.033(d)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the ED;

ii. Provide notification regarding: the failure to comply with the acute MCL for nitrate for the third quarter of 2014; the failure to comply with the MCL for gross alpha particle activity for the second, third, and fourth quarters of 2013 and the first quarter of 2014; the failure to submit the results of nitrate, arsenic, and selenium sampling for the second quarter of 2013; the failure to conduct coliform monitoring during the month of November 2013; the failure to submit the results of fluoride sampling for 2013; the failure to submit the Disinfectant Level Quarterly Operating Report for the fourth quarter of 2013; the failure to submit the results of triennial cyanide sampling, triennial Stage 1 disinfection byproducts sampling, and triennial SOC contaminants (methods 504, 515, and 531) sampling for the January 1, 2011 through December 31, 2013 monitoring period, and six-year SOC contaminants sampling for the January 1, 2008 through December 31, 2013 monitoring period, and provide a copy of each public notification to the ED; and

iii. Begin complying with applicable coliform monitoring requirements by collecting the required number of routine coliform monitoring samples and providing water that meets the provisions regarding microbial contaminants. This provision will be satisfied upon six consecutive months of compliant monitoring and reporting.

b. Within 45 days, submit written certification to demonstrate compliance with a.i. and a.ii.

c. Within 225 days, submit written certification to demonstrate compliance with a.iii.

**Executive Summary – Enforcement Matter – Case No. 50321
GREENWOOD VENTURES INC.
RN102689213
Docket No. 2015-0498-PWS-E**

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Epi Villareal, Enforcement Division,
Enforcement Team 2, MC R-14, (361) 825-3425; Candy Garrett, Enforcement Division,
MC 219, (512) 239-1456
TCEQ SEP Coordinator: N/A
Respondent: Patricia Williams, Owner, GREENWOOD VENTURES INC., 10706
Farm-To-Market 307, Midland, Texas 79706
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

TCEQ

DATES	Assigned	16-Mar-2015	PCW	14-May-2015	Screening	30-Mar-2015	EPA Due	31-Mar-2014
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RESPONDENT/FACILITY INFORMATION

Respondent	GREENWOOD VENTURES INC.						
Reg. Ent. Ref. No.	RN102689213						
Facility/Site Region	7-Midland			Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	50321	No. of Violations	7
Docket No.	2015-0498-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Lisa Westbrook
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$950
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	100.0%	Enhancement	Subtotals 2, 3, & 7	\$950
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Notes: Enhancement for seven NOV's with the same/similar violations, five NOV's with dissimilar violations, two default orders, and one agreed order without a denial of liability.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$98
Estimated Cost of Compliance \$271
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$1,900
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OTHER FACTORS AS JUSTICE MAY REQUIRE	4.2%	Adjustment	\$79
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to capture the avoided costs of compliance for Violation Nos. 1 and 7.

Final Penalty Amount	\$1,979
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$1,979
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$1,979
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Screening Date 30-Mar-2015

Docket No. 2015-0498-PWS-E

PCW

Respondent GREENWOOD VENTURES INC.

Policy Revision 4 (April 2014)

Case ID No. 50321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102689213

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	7	35%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	3	75%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 120%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for seven NOVs with the same/similar violations, five NOVs with dissimilar violations, two default orders, and one agreed order without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 120%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 30-Mar-2015

Docket No. 2015-0498-PWS-E

PCW

Respondent GREENWOOD VENTURES INC.

Policy Revision 4 (April 2014)

Case ID No. 50321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102689213

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description

Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data for the year 2013.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirements were not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

365 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$54

Violation Final Penalty Total \$104

This violation Final Assessed Penalty (adjusted for limits) \$104

Economic Benefit Worksheet

Respondent GREENWOOD VENTURES INC.
Case ID No. 50321
Reg. Ent. Reference No. RN102689213
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)	\$51	1-Jul-2014	13-Aug-2014	1.04	\$3	\$51	\$54

Notes for AVOIDED costs

The avoided cost includes the estimated amount to prepare and mail or directly deliver the 2013 CCR to the customers of the Facility and to the TCEQ ((\$0.50 x two connections + \$50) x one year), calculated from the date the 2013 CCR was due to the date the Facility was no longer subject to the rule.

Approx. Cost of Compliance	\$51	TOTAL	\$54
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Screening Date 30-Mar-2015

Docket No. 2015-0498-PWS-E

PCW

Respondent GREENWOOD VENTURES INC.

Policy Revision 4 (April 2014)

Case ID No. 50321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102689213

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 290.122(a)(2) and TCEQ Default Order Docket No. 2013-0281-PWS-E, Ordering Provision No. 3.a.iv

Violation Description

Failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to comply with the acute maximum contaminant level ("MCL") for nitrate for the third quarter of 2014.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	X		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

254 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	
N/A	X (mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$11

Violation Final Penalty Total \$104

This violation Final Assessed Penalty (adjusted for limits) \$104

Economic Benefit Worksheet

Respondent GREENWOOD VENTURES INC.
Case ID No. 50321
Reg. Ent. Reference No. RN102689213
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	23-Aug-2013	31-Oct-2015	2.19	\$11	n/a	\$11
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5	31-Dec-2014	31-Oct-2015	0.83	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs includes the estimated amount to implement procedures to ensure that all necessary public notifications are provided in a timely manner, calculated from the effective date of TCEQ Default Order, Docket No. 2013-0281-PWS-E to the estimated date of compliance. The other delayed cost includes the estimated amount to ensure that the public notification regarding the failure to comply with the acute MCL for nitrate (\$5 per notification x one notification) is posted by the Facility and a copy of the public notification is provided to the Executive Director, calculated from the due date of the public notification to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$105

TOTAL

\$11

Screening Date 30-Mar-2015

Docket No. 2015-0498-PWS-E

PCW

Respondent GREENWOOD VENTURES INC.

Policy Revision 4 (April 2014)

Case ID No. 50321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102689213

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.122(b)(2)(A), (b)(3)(A) and (f)

Violation Description

Failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to comply with the MCL for gross alpha particle activity for the second, third, and fourth quarters of 2013 and the first quarter of 2014.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

	Major	Moderate	Minor
Falsification	X		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 4

283 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$200

Four single events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$200

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$417

This violation Final Assessed Penalty (adjusted for limits) \$417

Economic Benefit Worksheet

Respondent GREENWOOD VENTURES INC.
Case ID No. 50321
Reg. Ent. Reference No. RN102689213
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$20	3-Jun-2013	31-Oct-2015	2.41	\$2	n/a	\$2

Notes for DELAYED costs

The delayed costs for training are captured in the Economic Benefit worksheet for Violation No. 2. The other delayed cost includes the estimated amount to ensure that all remaining delinquent public notifications (\$5 per notification x four notifications) are posted by the Facility and a copy of the public notifications are provided to the Executive Director, calculated from the due date of the earliest public notification to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$20

TOTAL

\$2

Screening Date 30-Mar-2015

Docket No. 2015-0498-PWS-E

PCW

Respondent GREENWOOD VENTURES INC.

Policy Revision 4 (April 2014)

Case ID No. 50321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102689213

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)

Violation Description

Failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to provide the results of nitrate, arsenic, and selenium sampling to the Executive Director for the second quarter of 2013 and the failure to conduct coliform monitoring during the month of November 2013.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 4

180 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$200

Four single events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$200

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$417

This violation Final Assessed Penalty (adjusted for limits) \$417

Economic Benefit Worksheet

Respondent GREENWOOD VENTURES INC.
Case ID No. 50321
Reg. Ent. Reference No. RN102689213
Media Public Water Supply
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$20	30-Sep-2013	31-Oct-2015	2.08	\$2	n/a	\$2

Notes for DELAYED costs

The delayed costs for training are captured in the Economic Benefit worksheet for Violation No. 2. The other delayed cost includes the estimated amount to ensure that all remaining delinquent public notifications (\$5 per notification x four notifications) are posted by the Facility and a copy of the public notifications are provided to the Executive Director, calculated from the due date of the earliest public notification to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$20

TOTAL

\$2

Screening Date 30-Mar-2015

Docket No. 2015-0498-PWS-E

PCW

Respondent GREENWOOD VENTURES INC.

Policy Revision 4 (April 2014)

Case ID No. 50321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102689213

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)

Violation Description

Failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit the results of fluoride sampling for the 2013 monitoring period and the failure to submit the Disinfectant Level Quarterly Operating Report for the fourth quarter of 2013.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 2

89 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$100

Two single events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$208

This violation Final Assessed Penalty (adjusted for limits) \$208

Economic Benefit Worksheet

Respondent GREENWOOD VENTURES INC.
Case ID No. 50321
Reg. Ent. Reference No. RN102689213
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10	31-Mar-2014	31-Oct-2015	1.59	\$1	n/a	\$1

Notes for DELAYED costs

The delayed costs for training are captured in the Economic Benefit worksheet for Violation No. 2. The other delayed cost includes the estimated amount to ensure that all remaining delinquent public notifications (\$5 per notification x two notifications) are posted by the Facility and a copy of the public notifications are provided to the Executive Director, calculated from the due date of the earliest public notification to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10

TOTAL

\$1

Screening Date 30-Mar-2015

Docket No. 2015-0498-PWS-E

PCW

Respondent GREENWOOD VENTURES INC.

Policy Revision 4 (April 2014)

Case ID No. 50321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102689213

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 6

Rule Cite(s)

30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)

Violation Description

Failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit the results of triennial cyanide sampling, triennial Stage 1 disinfection byproducts sampling, and triennial synthetic organic chemical ("SOC") contaminants (methods 504, 515, and 531) sampling for the January 1, 2011 through December 31, 2013 monitoring period, and the failure to submit the results of six-year SOC contaminants sampling for the January 1, 2008 through December 31, 2013 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 4

89 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$200

Four single events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$200

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$417

This violation Final Assessed Penalty (adjusted for limits) \$417

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

GREENWOOD VENTURES INC.
50321
RN102689213
Public Water Supply
6

Percent Interest Years of Depreciation
5.0 15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$40	31-Mar-2014	31-Oct-2015	1.59	\$3	n/a	\$3

Notes for DELAYED costs

The delayed costs for training are captured in the Economic Benefit worksheet for Violation No. 2. The other delayed cost includes the estimated amount to ensure that all remaining delinquent public notifications (\$5 per notification x four notifications) are posted by the Facility and a copy of the public notifications are provided to the Executive Director, calculated from the due date of the earliest public notification to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$40

TOTAL

\$3

Screening Date 30-Mar-2015

Docket No. 2015-0498-PWS-E

PCW

Respondent GREENWOOD VENTURES INC.

Policy Revision 4 (April 2014)

Case ID No. 50321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102689213

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 7

Rule Cite(s)

30 Tex. Admin. Code § 290.109(c)(2)(A)(i) and Tex. Health & Safety Code § 341.033(d)

Violation Description

Failed to collect routine distribution water samples for coliform analysis during the month of September 2014.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to collect routine distribution coliform samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

30 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$150

One monthly event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Extraordinary

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Ordinary

N/A

x

(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$25

Violation Final Penalty Total \$312

This violation Final Assessed Penalty (adjusted for limits) \$312

Economic Benefit Worksheet

Respondent GREENWOOD VENTURES INC.

Case ID No. 50321

Reg. Ent. Reference No. RN102689213

Media Public Water Supply

Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)	\$25	1-Sep-2014	30-Sep-2014	0.00	\$0	\$25	\$25

Notes for AVOIDED costs

The avoided cost includes the estimated amount to collect routine coliform samples (\$25 per sample), calculated for the month sampling was not conducted.

Approx. Cost of Compliance

\$25

TOTAL

\$25



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN600666028, RN102689213, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN600666028, GREENWOOD VENTURES INC. **Classification:** NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN102689213, GREENWOOD VENTURES **Classification:** NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A

Repeat Violator: N/A

CH Group: 14 - Other

Location: 10706 FM 307 MIDLAND, MIDLAND COUNTY, TEXAS

TCEQ Region: REGION 07 - MIDLAND

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1650006

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: March 30, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 30, 2010 to March 30, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Lisa Westbrook

Phone: (512) 239-1160

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 06/14/2012 ADMINORDER 2011-1073-PWS-E (Findings Order-Default)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)

5A THSC Chapter 341, SubChapter A 341.033(d)

Description: TCR Routine Monitoring Violation 02/2011 - Failure to collect any routine monitoring sample(s).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report disinfectant levels in the distribution system to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010. This system also failed to monitor and/or failed to report disinfectant levels in the distribution system to the TCEQ for the second quarter of 2010 and the third quarter of 2009 but notices of violation were not sent.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report disinfectant levels in the distribution system to the TCEQ for the quarterly monitoring period from 04/01/2009 to 06/30/2009.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report disinfectant levels in the distribution system to the TCEQ for the quarterly monitoring period from 10/01/2010 to 12/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report disinfectant levels in the distribution system to the TCEQ for the quarterly monitoring period from 01/01/2009 to 03/31/2009.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report disinfectant levels in the distribution system to the TCEQ for the quarterly monitoring period from 10/01/2008 to 12/31/2008. This system also failed to monitor and/or failed to report disinfectant levels in the distribution system to the TCEQ for the first, second and third quarters of 2008 and the first, second, third and fourth quarters of 2007 and 2006 but notices of violation were not sent.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)

30 TAC Chapter 290, SubChapter F 290.106(e)

Description: This system failed to monitor and/or failed to report nitrate levels to the TCEQ for the quarterly monitoring period from 10/01/2010 to 12/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)

30 TAC Chapter 290, SubChapter F 290.106(e)

Description: This system failed to monitor and/or failed to report nitrate levels to the TCEQ for the third quarter of 2010. This system also failed to monitor and/or failed to report nitrate levels to the TCEQ for the first and second quarters of 2010 and the second, third, and fourth quarter of 2009, but notices of violation were not sent.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)

30 TAC Chapter 290, SubChapter F 290.106(e)

Description: This system failed to monitor and/or failed to report arsenic levels to the TCEQ for the quarterly monitoring period from 10/01/2010 to 12/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)

30 TAC Chapter 290, SubChapter F 290.106(e)

Description: This system failed to monitor and/or failed to report arsenic levels to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010. This system also failed to monitor and/or failed to report arsenic levels to the TCEQ for the first and second quarters of 2010 and the second, third and fourth quarters of 2009 but notices of violation were not sent.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(f)(3)

30 TAC Chapter 290, SubChapter F 290.108(f)(4)

Description: This system failed to monitor and/or failed to report combined uranium levels to the TCEQ for the quarterly monitoring period from 04/01/2010 to 06/30/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(f)(3)

30 TAC Chapter 290, SubChapter F 290.108(f)(4)

Description: This system failed to monitor and/or failed to report combined uranium levels to the TCEQ for the quarterly monitoring period from 01/01/2010 to 03/31/2010. This system also failed to monitor and/or failed to report combined uranium levels to the TCEQ for the first, second, third and fourth quarters of 2009 and the fourth quarter of 2008 but notices of violation were not sent.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(f)(3)

30 TAC Chapter 290, SubChapter F 290.108(f)(4)

Description: This system failed to monitor and/or failed to report radionuclide levels to the TCEQ for the quarterly monitoring period from 10/01/2010 to 12/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(f)(3)

30 TAC Chapter 290, SubChapter F 290.108(f)(4)

Description: This system failed to monitor and/or failed to report radionuclide levels to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010.

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2009 - The system did not deliver the annual Consumer Confidence Report (CCR) for 2009 to its bill-paying customers.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2009 - The system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2009 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2010 - The system did not deliver the annual Consumer Confidence Report (CCR) for 2010 to its bill-paying customers.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2010 - The system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2010 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(3)(A)(ii)

Description: TCR Repeat Monitoring Violation 09/2012 - Failure to collect all repeats following a coliform found result.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: SELENIUM MR 3Q2009 - The system failed to monitor and/or failed to report selenium levels to the TCEQ for the quarterly monitoring period from 07/01/2009 to 09/30/2009.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: SELENIUM MR 4Q2009 - The system failed to monitor and/or failed to report selenium levels to the TCEQ for the quarterly monitoring period from 10/01/2009 to 12/31/2009.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: SELENIUM MR 1Q2010 - The system failed to monitor and/or failed to report selenium levels to the TCEQ for the quarterly monitoring period from 01/01/2010 to 03/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: SELENIUM MR 2Q2010 - The system failed to monitor and/or failed to report selenium levels to the TCEQ for the quarterly monitoring period from 04/01/2010 to 06/30/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: SELENIUM MR 3Q2010 - The system failed to monitor and/or failed to report selenium levels to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: SELENIUM MR 4Q2010 - The system failed to monitor and/or failed to report selenium levels to the TCEQ for the quarterly monitoring period from 10/01/2010 to 12/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: MIN MR 3Y2010 - The system failed to monitor and/or failed to report mineral levels to the TCEQ for the triennial monitoring period from 01/01/2008 to 12/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)

Description: VOC MR 6Y2010 - The system failed to monitor and/or failed to report volatile organic contaminants levels to the TCEQ for the 6 year monitoring period from 01/01/2005 to 12/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)

Description: DBP MR 3Y2010 - This system failed to monitor and/or failed to report disinfectant byproduct levels in its distribution system to the TCEQ for the triennial monitoring period from 01/01/2008 to 12/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(a)(2)

Description: NO3 PN 1Q2011 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a violation of the maximum contaminant level of nitrate during the first quarter of 2011.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(a)(2)

Description: NO3 PN 4Q2011 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a violation of the maximum contaminant level of nitrate during the fourth quarter of 2011.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2011 - The system did not deliver the annual Consumer Confidence Report (CCR) for 2011 to its bill-paying customers.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2011 - The system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2011 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: SELENIUM MR 1Q2012 - The system failed to monitor and/or failed to report selenium levels to the TCEQ for the quarterly monitoring period from 01/01/2012 to 03/31/2012.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: SELENIUM MR 2Q2012 - The system failed to monitor and/or failed to report selenium levels to the TCEQ for the quarterly monitoring period from 04/01/2012 to 06/30/2012.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: SELENIUM MR 3Q2012 - The system failed to monitor and/or failed to report selenium levels to the TCEQ for the quarterly monitoring period from 07/01/2012 to 09/30/2012.

Classification: Minor

Citation: 2A TWC Chapter 5, SubChapter A 5.702

30 TAC Chapter 290, SubChapter E 290.51(a)(6)

Description: Failed to pay all annual Public Health Service Fees and associated last fees for TCEQ Financial Administration Account No. 91650006 for Fiscal year 2013.

3 Effective Date: 03/13/2015 ADMINORDER 2013-2006-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Rqmt Prov:OPs 3.a.i, 3.b, 3.e and 3.f ORDER

Description: Failure to submit a Disinfectant Level Quarterly Operating Report (DLQOR) by the tenth day of the month following the end of each quarter. Failure to comply with Default Order Docket No. 2011-1073-PWS-E.

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Rqmt Prov:OPs 3.c.i, 3.c.ii and 3.d ORDER

Description: Failure to report the quarterly results for inorganic and radiation contaminant levels to the Executive Director. Failure to comply with Default Order Docket No. 2011-1073-PWS-E.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(4)(B)

Description: GWR Triggered Source MR Violation 09/2012 - Failure to collect and/or report any triggered source monitoring sample following a coliform found result for 1 source within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

Description: SEPT/2012 TCR Repeat MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct repeat coliform monitoring for the month of 09/2012.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

Description: OCT/2012 TCR Increase MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122

during the time period that public notice was required for failing to conduct increase coliform monitoring for the month of 10/2012.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

Description: SEPT/2012 GWR Triggered Source Monitoring PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct triggered source monitoring for the month of 09/2012.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(2)(A)

Description: ARS MCL PN 1Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for arsenic during the 1st quarter of 2013.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(2)(A)

Description: UR MCL PN 4Q2012 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for combined uranium during the 4th quarter of 2012.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(2)(A)

Description: ARS MCL PN 4Q2012 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for arsenic during the 4th quarter of 2012.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(2)(A)

Description: UR MCL PN 1Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for combined uranium during the 1st quarter of 2013.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 2Q2012 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 2nd quarter of 2012 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 3Q2012 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 3rd quarter of 2012 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 4Q2012 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 4th quarter of 2012 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 1Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 1st quarter of 2013 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 2Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 2nd quarter of 2013 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: NO3 MR 1Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)

Description: ARS MR 1Q2013 - The system failed to monitor and/or report arsenic levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1 August 16, 2011 (949066)
 Item 2 December 07, 2012 (1050839)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- 1

Date: 04/07/2014 (1215708) CN600666028

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: UR MCL PN 2Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for Combined Uranium during the 2nd quarter of 2013.
- 2

Date: 06/05/2014 (1215708) CN600666028

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: ARS MR PN 2Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a Selenium monitoring and reporting violation for the quarterly monitoring period from 04/01/2013 to 06/30/2013.
- 3

Date: 06/20/2014 (1215708) CN600666028

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: ARS MCL PN 4Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for Arsenic during the 4th quarter of 2013.
- 4

Date: 07/28/2014 (1215708) CN600666028

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: GA MCL PN 4Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for Gross Alpha during the 4th quarter of 2013.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: UR MCL PN 4Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for Combined Uranium during the 4th quarter of 2013.
- 5

Date: 08/15/2014 (1215708) CN600666028

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: ARS MCL PN 1Q2014 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was

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Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: DBP1 MR PN 3Y2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant byproducts monitoring and reporting violation for the triennial monitoring period from 01/01/2011 to 12/31/2013.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: CN MR PN 3Y2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a Cyanide monitoring and reporting violation for the triennial monitoring period from 01/01/2011 to 12/31/2013.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: SOC5 MR PN 6Y2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a synthetic organic contaminants monitoring and reporting violation for the 6 year monitoring period from 01/01/2008 to 12/31/2013.

10 Date: 11/07/2014 (1215708) CN600666028

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)(i)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR IN MR 1st 6M2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the initial six-month monitoring period from 01/01/2014 to 06/30/2014 within the required timeline.

11 Date: 11/10/2014 (1215708) CN600666028

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(a)(3)(C)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: NO3 AMCL PN 3Q2014 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for nitrate during the 3th quarter of 2014.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: UR MCL PN 2Q2014 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for Combined Uranium during the 2nd quarter of 2014.

12 Date: 11/18/2014 (1215708) CN600666028

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)
30 TAC Chapter 290, SubChapter F 290.109(f)(5)
30 TAC Chapter 290, SubChapter F 290.109(f)(7)

Description: TCR Routine MR Violation 09/2014 - Failure to collect and/or submit any routine monitoring samples within the required timeline.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
GREENWOOD VENTURES INC.
RN102689213**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2015-0498-PWS-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding GREENWOOD VENTURES INC. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 10706 Farm-to-Market 307 in Midland, Midland County, Texas (the "Facility") that has approximately two service connections and serves at least 25 people per day for at least 60 days per year.

2. During a record review conducted from December 1, 2014 through December 19, 2014, TCEQ staff documented that the Respondent did not mail or directly deliver one copy of the 2013 Consumer Confidence Report ("CCR") to each bill paying customer by July 1, 2014 and failed to submit to the TCEQ a copy of the annual CCR for 2013 by July 1, 2014.
3. During record reviews conducted from December 1, 2014 through December 19, 2014 and on January 28, 2015, TCEQ staff documented that the Respondent did not post public notification regarding the failure to comply with the acute maximum contaminant level ("MCL") for nitrate for the third quarter of 2014 and this was a technical requirement of TCEQ Default Order Docket No. 2013-0281-PWS-E, Ordering Provision No. 3.a.iv.
4. During a record review conducted from December 1, 2014 through December 19, 2014, TCEQ staff documented that the Respondent did not post public notification regarding the failure to comply with the MCL for gross alpha particle activity for the second, third, and fourth quarters of 2013 and the first quarter of 2014.
5. During a record review conducted from December 1, 2014 through December 19, 2014, TCEQ staff documented that the Respondent did not post public notification regarding the failure to provide the results of nitrate, arsenic, and selenium sampling to the Executive Director for the second quarter of 2013 and the failure to conduct coliform monitoring during the month of November 2013.
6. During a record review conducted from December 1, 2014 through December 19, 2014, TCEQ staff documented that the Respondent did not post public notification regarding the failure to submit the results of fluoride sampling for the 2013 monitoring period and the failure to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") for the fourth quarter of 2013.
7. During a record review conducted from December 1, 2014 through December 19, 2014, TCEQ staff documented that the Respondent did not post public notifications regarding the failure to submit the results of triennial cyanide sampling, triennial Stage 1 disinfection byproducts ("DBP1") sampling, and triennial synthetic organic chemical ("SOC") contaminants (methods 504, 515, and 531) sampling for the January 1, 2011 through December 31, 2013 monitoring period, and the failure to submit the results of six-year SOC contaminants sampling for the January 1, 2008 through December 31, 2013 monitoring period.
8. During a record review conducted from December 1, 2014 through December 19, 2014, TCEQ staff documented that the Respondent did not collect routine distribution water samples for coliform analysis during the month of September 2014.
9. The Respondent received notice of the violations on December 22, 2014 and March 9, 2015.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondent failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c).
3. As evidenced by Findings of Fact No. 3, the Respondent failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to comply with the acute MCL for nitrate, in violation of 30 TEX. ADMIN. CODE § 290.122(a)(2) and TCEQ Default Order Docket No. 2013-0281-PWS-E, Ordering Provision No. 3.a.iv.
4. As evidenced by Findings of Fact No. 4, the Respondent failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to comply with the MCL for gross alpha particle activity, in violation of 30 TEX. ADMIN. CODE § 290.122(b)(2)(A), (b)(3)(A) and (f).
5. As evidenced by Findings of Fact No. 5, the Respondent failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to provide the results of nitrate, arsenic, and selenium sampling and the failure to conduct coliform monitoring, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
6. As evidenced by Findings of Fact No. 6, the Respondent failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit the results of fluoride sampling and the failure to submit a DLQOR, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
7. As evidenced by Findings of Fact No. 7, the Respondent failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit the results of triennial cyanide sampling, triennial Stage 1 DBP1 sampling, triennial SOC contaminants (methods 504, 515, and 531) sampling and six-year SOC contaminants sampling, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
8. As evidenced by Findings of Fact No. 8, the Respondent failed to collect routine distribution water samples for coliform analysis, in violation of 30 TEX. ADMIN. CODE § 290.109(c)(2)(A)(i) and TEX. HEALTH & SAFETY CODE § 341.033(d).

9. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
10. An administrative penalty in the amount of One Thousand Nine Hundred Seventy-Nine Dollars (\$1,979) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent has paid Four Hundred Seventy-Nine Dollars (\$479) of the administrative penalty. The remaining amount of One Thousand Five Hundred Dollars (\$1,500) of the administrative penalty shall be payable in six monthly payments of Two Hundred Fifty Dollars (\$250) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of One Thousand Nine Hundred Seventy-Nine Dollars (\$1,979) as set forth in Section II, Paragraph 10 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: GREENWOOD VENTURES INC., Docket No. 2015-0498-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122;
 - ii. Provide notification regarding: the failure to comply with the acute MCL for nitrate for the third quarter of 2014; the failure to comply with the MCL for gross alpha particle activity for the second, third, and fourth quarters of 2013 and the first quarter of 2014; the failure to submit the results of nitrate, arsenic, and selenium sampling for the second quarter of 2013; the failure to conduct coliform monitoring during the month of November 2013; the failure to submit the results of fluoride sampling for 2013, the failure to submit the DLQOR for the fourth quarter of 2013; and the failure to submit the results of triennial cyanide sampling, triennial Stage 1 DBP1 sampling, and triennial SOC contaminants (methods 504, 515, and 531) sampling for the January 1, 2011 through December 31, 2013 monitoring period, and six-year SOC contaminants sampling for the January 1, 2008 through December 31, 2013 monitoring period, and provide a copy of each public notification to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122; and
 - iii. Begin complying with applicable coliform monitoring requirements by collecting the required number of routine coliform monitoring samples and providing water that meets the provisions regarding microbial contaminants, in accordance with 30 TEX. ADMIN. CODE § 290.109. This provision will be satisfied upon six consecutive months of compliant monitoring and reporting.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.c. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. and 2.a.ii.; and
 - c. Within 225 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.iii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the

information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Public Drinking Water Section Manager
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

GREENWOOD VENTURES INC.
DOCKET NO. 2015-0498-PWS-E
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pamela Marie J
For the Executive Director

11/3/15
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of GREENWOOD VENTURES INC. I am authorized to agree to the attached Agreed Order on behalf of GREENWOOD VENTURES INC., and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, GREENWOOD VENTURES INC. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Patricia Williams
Signature

9-8-15
Date

Patricia Williams
Name (Printed or typed)
Authorized Representative of
GREENWOOD VENTURES INC.

Owner
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.